

NOTICE OF EXEMPTION

To: Office of Planning and Research
State Clearinghouse
P.O. Box 3044, 1400 Tenth Street, Room 212
Sacramento, California 95812-3044

From: Department of Toxic Substances Control
Office of Permitting
9211 Oakdale Avenue
Chatsworth, California 91311

Project Title: Clean Harbors Wilmington RCRA Hazardous Waste Facility Permit Renewal

Project Location: 1737 Denni Street, Wilmington, California 90744

County: Los Angeles

Project Description:

The project consists of approving a RCRA Hazardous Waste Facility Permit renewal application for the hazardous waste storage and treatment activities at the Clean Harbors Wilmington, LLC facility ("Facility") located at 1737 Denni Street in Wilmington, California. Project activities consist of approving the Part A and B permit applications, updating the Health Risk Assessment, and renewing a RCRA Hazardous Waste Facility Permit (Permit) for the treatment and storage of hazardous waste at the Facility. The Permit will allow the Facility to continue its current hazardous waste operations, the construction of a loading area for railcars, and the installation of a new tank (T-304) in the 300 Series Storage/Blending Tank Unit. Construction of the Railcar Loading Area and the installation of the new tank are not new proposed activities.

The Facility is located in a heavily industrialized area with tank farms on adjacent properties to the north, south, and east. There are also a number of petroleum refineries in the vicinity, the closest ones being the Valero Refinery and Tesoro Refinery (to the north), and Three Rivers Refinery (to the southeast), all of which are less than 1 mile from the Facility. The largest refinery in the vicinity is the Conoco Phillips Refinery which is located approximately 3 miles to the southwest of the Facility. A number of shipping terminals are located to the south, the closest being within 1 mile of the Facility.

The Facility is a full service hazardous waste transfer, treatment and storage facility, and receives hazardous waste from a wide range of generators. The Facility segregates, classifies, and stores the waste for processing on-site. A RCRA Hazardous Waste Facility Permit was issued to former facility owner ENSCO West Inc. by the Department of Toxic Substances Control (DTSC) in 1995. The 1995 Permit authorized the Facility to treat and store a variety of hazardous wastes, in tanks and containers, from off-site generators. The maximum storage capacities authorized to the facility by the 1995 Permit were 100,000 gallons in containers and 152,750 gallons in tanks. The 1995 Permit also authorized treatment of 100,000 gallons per day in tanks. The 1995 permit also authorized the Facility to install a new tank (T-304) in the 300 series tank area, construct a new wastewater treatment unit, and construct an area for loading hazardous waste into railcars. The Facility did not install or constructed any of the proposed additions. The Facility changed ownership from ENSCO to Teris LLC in 2001, and then from Teris Wilmington LLC to Clean Harbors Wilmington LLC in 2006. Clean Harbors Wilmington LLC has operated under the 1995 Permit since 2006 and continues to operate until a final permit decision is made on the permit application.

The renewal of the RCRA Hazardous Waste Facility Permit will authorize Clean Harbors to continue to operate the two container storage areas and all existing hazardous waste tanks for storage and treatment with the exception of the neutralization tank, T-111, and the storm water tank T-701. Since the facility is no longer treating waste by neutralization, Tank T-111 will be closed. Tank 701 has never being used to handle hazardous wastes and is being converted to a non-hazardous waste tank to store storm water prior to discharge to the City sewer system. The units being authorized include the Container Storage Warehouse, Roll-Off Bin Storage Area, 200 Series Blending/Holding Tanks, 300 Series Blending/Holding Tanks, and Tank T-112 Oil and Oil Water Storage Tank. Also being authorized in the permit renewal is the proposed installation of a new tank, T-304, in the 300 Series Blending/Holding Tanks, and the proposed construction of the Rail Car Transfer Unit.

The Part A and B permit renewal application was submitted on December 15, 2004 by Teris Wilmington LLC. A revised permit application was submitted on March 15, 2010 because: 1) the facility's container storage capacity was increased from 100,000 gallons to 112,000 gallons, 2) the facility's maximum tank storage capacity was reduced from 152,750 gallons to 144,750 gallons, 3) the tank throughput treatment capacity was reduced from 100,000 gallons per day to 52,800 gallons per day, 4) units and activities that will not be operating and constructed were removed, and 6) Teris Wilmington LLC was changed to Clean Harbors Wilmington LLC in the application. The Part A and B permit application was revised again on February 18, 2011 and June 9, 2011 because it needed to update the closure plan.

The facility has no known releases requiring corrective action.

Name of Public Agency Approving Project: Department of Toxic Substances Control

Name of Person or Agency Carrying Out Project: Department of Toxic Substances Control

Exemption Status: (check one)

- ☐ Ministerial [PRC, Sec. 21080(b)(1); CCR, Sec. 15268]
- ☐ Declared Emergency [PRC, Sec. 21080(b)(3); CCR, Sec. 15269(a)]
- ☐ Emergency Project [PRC, Sec. 21080(b)(4); CCR, Sec. 15269(b)(c)]
- ☐ Categorical Exemption: [section 15301, Exiting Facilities]
- ☐ Statutory Exemptions: [State code section number]
- ☒ General Rule [CCR, Sec. 15061(b)(3)]

Exemption Title: With certainty, no possibility of significant environmental effect

Reasons Why Project is Exempt:

1. This project will not have an adverse impact on adjacent properties. The Facility is an existing facility located in a heavily industrialized area of Wilmington and no new construction or additions are being proposed in the permit that wasn't previously authorized. The permit does allow the Facility to construct a rail track for loading hazardous waste operations and the installation of a new tank in the 300 Series Blending/Holding Tank Unit as previously authorized in the 1995 Permit but were never built. The environmental analysis for these two additions was evaluated at that time. Therefore, no changes to existing environmental conditions are expected to occur from these additions.
2. The Facility tank treatment capacity has been reduced from 100,000 gallons per day to 52,800 gallons per day. The reduction in treatment capacity is due to the deletion of the proposed wastewater treatment unit and the neutralization tank.
3. The Facility tank storage capacity has been reduced from 152,750 gallons to 144,750 gallons
4. Also due to the elimination of the proposed wastewater treatment unit and closure of the neutralization tank, several treatment processes in tanks will no longer be performed at the Facility.
5. The container storage operations will remain the same as with former operations, however the container storage capacity was increase from 100,000 gallons to 112,000 gallons. The increase in capacity will not cause physical changes to any of the container storage areas
6. There is no ecological habitat on-site or within a significant proximity of the Facility. As was concluded in the 1994 HRA, there is no habitat for sensitive or listed species within nearly 2 miles of the Facility. Therefore, it is not likely that ecological receptors would be adversely impacted by routine operations of the Facility.
7. As part of its RCRA Part B Permit renewal, the Clean Harbors Wilmington Facility was required to update the Health Risk Assessment (HRA; Mittelhauser, 1994) that supported the original RCRA Permit application. The cancer risks estimated for residential receptors are lower than the acceptable risk targets. The chronic and acute noncancer hazard indices for the residential and occupational receptors were are also below the acceptable hazard index of 1.
8. All emissions from the process are controlled through the permitted air pollution control devices.
9. There are no known releases requiring corrective action, and recent inspections have noted no violations that may caused the releases to the environment.
10. The facility is not located in an earthquake-prone zone or a 100 year flood plain.

Based on the nature of the project, the proper management of hazardous waste, and the fact that the modifications being administered will reduce the risk to existing operations, there is no possibility that a significant effect on the environment will occur.

Ricardo Gonzalez

Project Manager Name

Hazardous Substances Engineer

Project Manager Title

(818) 717-6693

Phone #

//Original signed by//

September 15, 2011

Team Leader SignatureDateAlfred Wong

Team Leader Name

Senior Hazardous Substances Engineer

Team Leader Title

(510) 540-3946

Phone #

TO BE COMPLETED BY OPR ONLY

Date Received For Filing and Posting at OPR: